



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 301 S. PARK, DRAWER 10096
HELENA, MONTANA 59626-0096

June 8, 2005

Ref: 8EPR-N

Albert J. Hendricks, Superintendent
Capitol Reef National Park
HC 70, Box 15
Torrey, UT 84775

Re: Burr Trail Modifications, Draft
Environmental Impact Statement,
CEQ# 20050196

Dear Mr. Hendricks:

The U.S. Environmental Protection Agency, Region 8 (EPA) thanks the National Park Service (NPS) for the Draft Environmental Impact Statement (DEIS) and offers our comments to the FEIS pursuant to our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Our enclosed comments acknowledge the efforts and resources that the NPS committed to prepare the EIS for this project. We thank you for clear and informative documentation of the proposed actions.

Overall, the project will result in long-term benefits for soils, reduced erosion and sediment loss potential, wildlife and habitat protections, and recreation visitors' experiences. EPA trusts that applicable best management practices will be used to reduce the potential for adverse construction practices to soils, erosion and sediment, and other potential short-term construction impacts.

Based on the procedures EPA uses to evaluate the potential effects of proposed actions and the adequacy of the information in the DEIS, the Preferred Alternative will be listed in the Federal Register in the category 'LO' or 'lack of objections' (see enclosure for EPA ratings criteria and definitions). The rating means that EPA's review did not identify potential environmental impacts that require substantive changes to the proposal.

Brad Crowder of my staff coordinated EPA's comments. He can be reached at the address above, by telephone at 303-312-6396, or by e-mail at crowder.brad@epa.gov.

Sincerely,

/s/

Larry Svoboda
Director, NEPA

Program

Office of Ecosystems

Protection and Remediation



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U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections: The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns: The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections: The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory: The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate: EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information: The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new, reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate: EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. Feb., 1987.